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| 6  | Attorneys for Defendants BRANDYWINE REALTY TRUST,  |   |  |
| 7  | PRENTISS PROPERTIES CHANGE IN CONTROL<br>SEVERANCE PLAN FOR KEY EMPLOYEES,<br>AND DANIEL CUSHING |   |  |
| 8  | UNITED STATES DISTRICT COURT   |   |  |
| 9  | NORTHERN DISTRICT OF CALIFORNIA  |   |  |
| 10 |  |   |  |
| 11 | JOHN SUTTON,   | Case No. C07-01109 CW                                     |  |
| 12 | Plaintiff,   |   |  |
| 13 | VS.  | <del>[PROPOSED]</del> ORDER AND<br>STIPULATION CONTINUING |  |
| 14 | BRANDYWINE REALTY TRUST,   | SETTLEMENT CONFERENCE                                     |  |
| 15 | PRENTISS PROPERTIES TRUST<br>CHANGE IN CONTROL SEVERANCE   |   |  |
| 16 | PROTECTION PLAN FOR KEY EMPLOYEES, and DANIEL CUSHING,   |   |  |
| 17 | Defendants.  |   |  |
| 18 |  |   |  |
| 19 |  |   |  |
| 20 | Plaintiff John Sutton ("Plaintiff") and Defendants Brandywine Realty Trust, Prentiss             |   |  |
| 21 | Properties Trust Change in Control Severance Protection Plan for Key Employees, and Daniel       |   |  |
| 22 | Cushing ("Defendants") (collectively, the "Parties"), by and through their respective counsel of |   |  |
| 23 | record, file this Stipulation and Proposed Order to Continue the April 24, 2008 Settlement       |   |  |
| 24 | Conference before Magistrate Judge Edward M. Chen.   |   |  |
| 25 | WHEREAS, the Court referred this r   | natter to Magistrate Judge Edward M. Chen for             |  |
| 26 | settlement purposes;   |   |  |
| 27 | WHEREAS, a Settlement Conference   | e is presently scheduled for April 24, 2008 at 9:30       |  |
| 28 | a.m.;  |   |  |
| w  |  | STIPULATION TO CONTINUE SETTLEMENT                        |  |

MORGAN, LEWIS & BOCKIUS LLP
ATTORNEYS AT LAW
PALO ALTO

1-SF/7689358.1

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| 1   | WHEREAS, a representative of Defendant Brandywine Realty Trusts' insurance carrier   |
|---|--|
| 2   | is unavailable to attend the Settlement Conference on April 24, 2008 as required by the  |
| 3   | Settlement Conference Order;   |
| 4   | WHEREAS, the Parties stipulate continue the Settlement Conference to May 5, 2008 at  |
| 5   | 1:30 p.m.  |
| 6   | GOOD CAUSE EXISTS to continue the Settlement Conference, as set forth herein.  |
| 7   | IT IS SO STIPULATED.   |
| 8   |  |
| 9   | DATED: April 9, 2008 BUTY & CURLIANO LLP   |
| 10  |  |
| 11  | By: <u>/s/ (with permission)</u><br>JASON CURLIANO   |
| 12  | Attorneys for Plaintiff: JOHN SUTTON   |
| 13  | DATED: April 9, 2008 MORGAN, LEWIS & BOCKIUS LLP   |
| 14  | MORGAN, ELWIS & BOCKIOS ELI  |
| 15  | By: <u>/s/</u> MELINDA S. RIECHERT   |
| 16  | Attorneys for Defendants: BRANDYWINE REALTY TRUST, PRENTISS  |
| 17  | PROPERTIES CHANGE IN CONTROL<br>SEVERANCE PLAN FOR KEY EMPLOYEES,  |
| 18  | AND, DANIEL CUSHING  |
| 19  |  |
|   | ORDER  |
| 20  | ORDER  The Court, having considered the Stipulation and [Proposed] Order between Plaintiff and   |
| 20<br>21  | The Court, having considered the Stipulation and [Proposed] Order between Plaintiff and  Defendants, approves said Stipulation per the terms contained therein  Settlement   |
|   | The Court, having considered the Stipulation and [Proposed] Order between Plaintiff and Defendants, approves said Stipulation per the terms contained therein.  Settlement Conference  |
| 21  | The Court, having considered the Stipulation and [Proposed] Order between Plaintiff and Defendants, approves said Stipulation per the terms contained therein.  Settlement Conference  |
| 21<br>22<br>23<br>24                              | The Court, having considered the Stipulation and [Proposed] Order between Plaintiff and Defendants, approves said Stipulation per the terms contained therein.  Settlement Conference statements shall be lodged by 4/21/2008.   |
| 21<br>22<br>23<br>24<br>25                        | The Court, having considered the Stipulation and [Proposed] Order between Plaintiff and Defendants, approves said Stipulation per the terms contained therein.  Settlement Conference statements shall be lodged by 4/21/2008.   |
| 21<br>22<br>23<br>24<br>25<br>26                  | The Court, having considered the Stipulation and [Proposed] Order between Plaintiff and Defendants, approves said Stipulation per the terms contained therein.  Settlement Conference statements shall be lodged by 4/21/2008.  DATED: April 11, 2008                            |
| 21<br>22<br>23<br>24<br>25<br>26<br>27            | The Court, having considered the Stipulation and [Proposed] Order between Plaintiff and Defendants, approves said Stipulation per the terms contained therein.  Settlement Conference statements shall be lodged by 4/21/2008.  DATED: _April 11, 2008                           |
| 21 22 23 24 25 26 27  MORGAN, LEWIS & BOCKIUS LLP | The Court, having considered the Stipulation and [Proposed] Order between Plaintiff and Defendants, approves said Stipulation per the terms contained therein.  IT IS SO ORDERED  DATED: _April 11, 2008  DATED: _April 11, 2008  DATED: _April 11, 2008  DATED: _April 11, 2008 |
| 21 22 23 24 25 26 27 MORGAN, LEWIS &              | The Court, having considered the Stipulation and [Proposed] Order between Plaintiff and Defendants, approves said Stipulation per the terms contained therein.  Settlement Conference statements shall be lodged by 4/21/2008.  DATED: _April 11, 2008                           |